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GEO GUIDANCE DRILLING SERVICES, INC.

10 UNITED STATES DISTRICT COURT

11 EASTERN DISTRICT OF CALIFORNIA

12 GEO GUIDANCE DRILLING SERVICES,  
INC., a California corporation,

13 Plaintiff,

14 v.

15 RENAISSANCE RESOURCES, LLC, a  
16 Wyoming limited liability company,

17 Defendant.

Case No. 1:20-CV-00465-AWI-JLT

**JOINT STIPULATION RE:  
SETTLEMENT CONFERENCE AND  
[PROPOSED] ORDER**

**(Doc. 33)**

20 **COMES NOW** Plaintiff GEO GUIDANCE DRILLING SERVICES, INC., a California  
21 corporation (“Plaintiff”), and Defendant RENAISSANCE RESOURCES, LLC, a Wyoming  
22 limited liability company (“Defendant”), by and through their counsel of record, and submit to the  
23 Court this Joint Stipulation and [Proposed] Order for purposes of setting a Further Settlement  
24 Conference in the above-referenced action. This Joint Stipulation is submitted in response to and  
25 in compliance with this Court’s Order After Settlement issued on April 20, 2021; this Court’s  
26 August 6 and 20, 2021 Orders setting this matter for a Settlement Conference; and this Court’s  
27 September 15, 2021 Minute Orders regarding Defendant’s failure to submit a confidential  
28 settlement conference statement and removal of the Settlement Conference due to Defendant’s

counsel's unavailability. This Joint Stipulation is also made in response to this Court's September 15, 2021 Minute Order whereunder the Court ordered that should the Parties wish to pursue a Further Settlement Conference, the Parties shall meet and confer in good faith to select a mutually agreeable date and time for said conference to commence. Accordingly, the Parties set forth the following Joint Stipulation requesting the Court set a Further Settlement Conference in this action:

**RECITALS**

**WHEREAS**, on April 15, 2021, the Parties filed a Joint Stipulation Staying and Continuing Trial and Litigation Deadlines Pending Settlement and Resolution ("Joint Stipulation"), along with Declarations of Plaintiff's and Defendant's counsel in support.

**WHEREAS**, on April 20, 2021, this Court issued its Order After Notice of Settlement where, in pertinent part, this Court stayed this action and vacated all dates, deadlines, hearings, conferences, and motions for purposes of allowing the Parties to explore and potentially finalize settlement of this action or jointly request a settlement conference or prove up hearing.

**WHEREAS**, on July 23, 2021, the Parties submitted a Joint Request for the Court to set a Settlement Conference in this action.

**WHEREAS**, on August 6 and 20, 2021, this Court issued its Orders regarding setting this action for a Settlement Conference. The Settlement Conference was ordered to commence and be heard by remote means on September 20, 2021.

**WHEREAS**, on September 13, 2021, in accordance with this Court's Orders concerning the Settlement Conference, Plaintiff prepared and filed its Confidential Settlement Conference Statement.

**WHEREAS**, on September 15, 2021, this Court issued its Minute Order acknowledging that Defendant had failed to submit its Confidential Settlement Conference Statement as required, and Defendant was further ordered to file a Confidential Settlement Conference Statement by no later than September 16, 2021 in advance of the Settlement Conference. Defendant was also ordered to respond to Plaintiff's most recent offer via telephone, if possible, or otherwise by e-mail.

1       **WHEREAS**, on September 15, 2021, after Defendant's counsel having contacted the  
2 Court unilaterally, the Court vacated the September 20, 2021 Settlement Conference as a result of  
3 Defendant's counsel being unavailable, and set forth under its Minute Order that should the  
4 Parties wish to reset the Settlement Conference, they may do so by filing a Stipulation and  
5 Proposed Order.

6       **WHEREAS**, the Parties have engaged, and continue, in ongoing good faith settlement  
7 negotiations for purposes of resolving the entirety of this action, and, as the Court is aware, the  
8 Parties have reached an agreement concerning the nature, extent, and scope of liability of the  
9 Defendant, and the agreement remains in effect.

10       **WHEREAS**, despite Plaintiff's multiple demands that have been submitted with respect  
11 to its damages claimed and at issue as a result of Defendant's liability, as well as this Court's  
12 Order instructing the Defendant to respond to Plaintiff's most recent demand, Defendant has yet  
13 to specifically respond or object to Plaintiff's demand.

14       **WHEREAS**, Plaintiff's counsel has submitted records, documents, and information to  
15 Defendant's counsel in support of its damages claimed. Said evidence supports the costs,  
16 expenses, fees and other damages incurred and suffered by Plaintiff as a result of Defendant's  
17 wrongful conduct, acts, and/or omissions, all as alleged in this action.

18       **WHEREAS**, Defendant's counsel acknowledges that Plaintiff's counsel has engaged in  
19 and exchanged follow-up communications concerning resetting the subject Settlement Conference,  
20 with respect to evidence submitted and damages claimed, and has made attempts to meet and  
21 confer with respect as to how the Parties should jointly proceed with resolving this action.

22       **WHEREAS**, Defendant's counsel's response to such attempts, information, and/or  
23 inquiries has been delayed due to matters outside the control of counsel, including the recent  
24 conclusion of an approximately two and a half month-long trial of another action.  
25 Notwithstanding, Defendant's counsel acknowledges that it intends to promptly engage with  
26 Plaintiff's counsel regarding the damages in this case.

27       **WHEREAS**, the Parties continue to believe that it would be beneficial to the Court and  
28 the Parties to set a Further Settlement Conference in order to discuss and finalize resolution of this

1 matter, specifically with respect to damages to be awarded or agreed, which may require a  
2 subsequent prove-up hearing before the Court.

3 **WHEREAS**, the Parties have met and conferred, and agree that January 25, 2022 is a  
4 mutually convenient date that all Parties can be made available for a Further Settlement  
5 Conference in this action.

6 **STIPULATION**

7 **NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED** by and  
8 between the parties, by and through their respective counsel of record, as follows:

9 1. That the Court set a Further Settlement Conference in this action for January 25,  
10 2022 at 10:00 a.m., or on the first available date and time thereafter that is convenient to the Court,  
11 and that the Parties appear via Zoom or other remote means acceptable to the Court.

12 2. That the Parties submit individual Confidential Settlement Conference Statements  
13 to the Court no later than five (5) days prior to the commencement of the Settlement Conference.

14 3. That prior to the Settlement Conference, the Parties will engage in further  
15 meaningful settlement related discussions and negotiations, all directed toward bringing this  
16 matter to a full and complete resolution.

17 4. That Defendant will respond in writing to Plaintiff's most recent settlement  
18 demand no later than five (5) days prior to the commencement of the Settlement Conference for  
19 purposes of facilitating meaningful settlement discussions and negotiations.

20 **[SIGNATURES ON FOLLOWING PAGE]**

1 Dated: December 20, 2021

BELDEN BLAINE RAYTIS, LLP

2  
3  
4  
5 /s/ Daniel M. Root

6 By:

7 T. SCOTT BELDEN  
8 DANIEL N. RAYTIS  
9 DANIEL M. ROOT  
10 Attorneys for Plaintiff GEO  
11 GUIDANCE DRILLING SERVICES,  
12 INC.

13  
14  
15 Dated: December 20, 2021

16 WOOD SMITH HENNING BERMAN,  
17 LLP

18 /s/ Peter J. Burfening

19 By:

20 PETER J. BURFENING, JR.,  
21 Attorneys for Defendant  
22 RENAISSANCE RESOURCES, LLC  
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24  
25  
26  
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**[PROPOSED] ORDER**

Having read and considered the Joint Stipulation entered into and submitted by the Parties by and through their respective counsel of record and good cause appearing, **THE COURT ORDERS AS FOLLOWS:**

1. A Further Settlement Conference in this action is set for February 2, 2022<sup>1</sup> at 1 p.m. before Magistrate Judge, Erica P. Grosjean, and that the Parties shall appear via videoconference.

2. The Parties shall submit individual Confidential Settlement Conference Statements to the Court, via email to [EPGOrders@caed.uscourts.gov](mailto:EPGOrders@caed.uscourts.gov), no later than five days prior to the commencement of the Settlement Conference.

3. That prior to the Settlement Conference, the Parties shall engage in further meaningful settlement related discussions and negotiations, all directed toward bringing this matter to a full and complete resolution.

4. Defendant shall respond in writing to Plaintiff's most recent settlement demand no later than five days prior to the Settlement Conference for purposes of facilitating meaningful settlement discussions and negotiations.

IT IS SO ORDERED.

Dated: December 20, 2021

/s/ Jennifer L. Thurston  
CHIEF UNITED STATES MAGISTRATE JUDGE

<sup>1</sup> The dates proposed by the parties is not available. They may stipulate to a different date if the date noted here is unworkable. If they wish to do that, they must contact Courtroom Deputy Clerk, Susan Hall, at [shall@caed.uscourts.gov](mailto:shall@caed.uscourts.gov) to preclear dates.